

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Weers et al.	Group Art Unit: 1617
Application No: 09/851,226	Examiner: Hui, San Ming R.
Confirmation No: 4017	Attorney Docket No: NK.0073.00
Filing Date: 05/08/2001	
For: PHOSPHOLIPID-BASED POWDERS FOR DRUG DELIVERY	January 5 <sup>th</sup> , 2005 San Francisco, California

*for fee only*

AMENDMENT FILED WITH RCE

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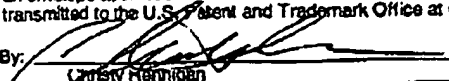
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Examiner Hui:

This amendment for the above-referenced application is being filed in response to the Final Office Action mailed on May 5<sup>th</sup>, 2004, and the Notice of Appeal filed on November 10<sup>th</sup>, 2004. The amendment is timely since it is accompanied by a RCE submission and is filed within two months of the date of the Notice of Appeal.

01/18/2005 FPATTERS 00000002 100258 09851226

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02 FC:1202

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MAIL STOP RCE Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office at (703) 872-9306 on the date shown below.	
By: 	Date: January 5, 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: <b>Wears et al.</b>	Group No: <b>1617</b>
Application No: <b>09/851,226</b>	Examiner: <b>San Ming R. Hui</b>
Confirmation No: <b>4017</b>	Attorney Docket No: <b>NK.0073.00</b>
Filed: <b>05/08/2001</b>	Wednesday, January 05, 2005
Title: <b>PHOSPHOLIPID-BASED POWDERS FOR DRUG DELIVERY</b>	San Francisco, CA 94107

Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	<b>Extension of Time</b> <input type="checkbox"/> Applicant petitions for an extension of time under 37 C.F.R. 1.136		
<b>Papers Enclosed</b>  <input checked="" type="checkbox"/> Amendment Filed with RCE <input checked="" type="checkbox"/> Request for Continued Examination (RCE) <input type="checkbox"/> Associate Power of Attorney Statement <input type="checkbox"/> Notice of Appeal (form PTO/SB31) <input type="checkbox"/> Drawings <input type="checkbox"/> Supplemental Information Disclosure Statement <input type="checkbox"/> PTO-SB08 Form <input type="checkbox"/> Citations <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Postcard for Return (1)	<b>Extension (Months)</b>	<b>Extension Fee</b>	
		<b>Large Entity</b>	<b>Small Entity</b>
	<input type="checkbox"/> One Month	\$120.00	\$60.00
	<input type="checkbox"/> Two Months	\$450.00	\$225.00
	<input type="checkbox"/> Three Months	\$1,020.00	\$510.00
	<b>Total \$ 0.00</b>		
	<input checked="" type="checkbox"/> Applicant believes that no extension of term is required. However, this conditional petition is being made in case applicant has inadvertently overlooked the need for a petition for extension of time.		

Fees for Extra Claims						
	Claims remaining after amendment	Highest number previously paid for	Number Extra	Rate		Additional Fee
				Large Entity	Small Entity	
Total Claims	81	59	22	\$50.00	\$25.00	\$1100.00
Independent Claims	7	5	2	\$200.00	\$100.00	\$200.00
Multiple Dependent Claims			0	\$300.00	\$150.00	\$0.00
Supplemental Information Disclosure Statement						
Total						\$1300.00

\*No new claims in the present amendment, but claims were miscounted in the last amendment transmittal

<b>Fee Payment</b> <table border="1"> <tr> <td>Extension Fees</td> <td>\$0.00</td> </tr> <tr> <td>Fees for Extra Claims</td> <td>\$1300.00</td> </tr> <tr> <td>RCE Fee</td> <td>\$790.00</td> </tr> <tr> <td>Total</td> <td>\$2,090.00</td> </tr> </table>		Extension Fees	\$0.00	Fees for Extra Claims	\$1300.00	RCE Fee	\$790.00	Total	\$2,090.00	<b>Fee Deficiency</b> <input checked="" type="checkbox"/> If any additional extension and/or fee is required, please charge Deposit Account No. <u>10-0258</u> . and/or <input checked="" type="checkbox"/> If any additional fee for claims is required, please charge Deposit Account No. <u>10-0258</u> .
Extension Fees	\$0.00									
Fees for Extra Claims	\$1300.00									
RCE Fee	\$790.00									
Total	\$2,090.00									
Attached is check no. _____ in the sum of \$0.00. <input checked="" type="checkbox"/> Please charge Deposit Account No. <u>10-0258</u> in the sum of \$2,090.00.		Please direct telephone calls to: Ashok K. Janah at (415) 538-1555 Please continue to send correspondence to: Guy Tucker Nektar Therapeutics 150 Industrial Road San Carlos, CA 94070.								
<b>CERTIFICATE OF TRANSMISSION (37 C.F.R. § 1.8a):</b>  I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office at (703) 872-9308 on the date shown below.  By: <u>Christy Hennigan</u> Date: <u>January 5, 2005</u>		Respectfully Submitted,  By: <u>Ashok K. Janah</u> Date: <u>January 5, 2005</u> Registration No. 37,487								

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